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EXAMINER

LY, NGHI H

ART UNIT PAPER NUMBER

2617

DATE MAILED: 04/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/522,325

Applicant(s)

ZONOUN, MOHAMMAD R.

Examiner

Nghi H. Ly

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-120 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-120 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

DETAILED ACTION

Response to Amendment

2. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-5, 7, 10-15, 17, 61-65, 67, 71-75, 77, 81-85, 87, 91-95, 97, 101-105, 107 and 111-115 and are rejected under 35 U.S.C. 102(e) as being anticipated by Buhrmann et al (US 6,169,895).

Regarding claims 1, 11, 61, 71, 11, 61, 71, 101 and 111, Buhrmann teaches an apparatus (see fig.2) comprising:

a decoder (see fig.2, codec 22) to decode an activation message (see fig.2, connection between microprocessor 24 and codec 22), the activation message being sent from an activator via a communication medium (see fig.2, connection between

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microprocessor 24 and codec 22) in response to a telephony call (see fig.2, connection “ring det.” between microprocessor 24 and item 26, and see column 6, lines 28-30), the decoder generating an activation command (see fig.2, connection between microprocessor 24 and codec 22), and a transmitting unit coupled to the decoder to transmit a signal modulated from an information message to a receiver using a communication protocol (see fig.2, connection between codec 22 and RF 21, and see column 7, lines 28-32), in response to the activation command (see fig.2, connection “ring det.” between microprocessor 24 and item 26, and see column 6, lines 28-30).

Regarding claims 2, 12, 62, 72, 82, 92, 102 and 112, Buhrmann teaches the receiver is coupled to a server (see fig.1), the server embedding the information message in network data to be sent over a network (see fig.1).

Regarding claims 3, 13, 63, 73, 83, 93, 103 and 113, Buhrmann teaches the communication protocol uses one of a multi-frequency tone, an ultra-red signal, a microwave signal, and an electromagnetic signal (see column 9, lines 44-59 and see column 5, lines 50-67).

Regarding claims 4, 14, 64, 74, 84, 94, 104 and 114, Buhrmann teaches the transmitting unit comprises a modulator to modulate the information message according to a modulating scheme (see column 7, lines 33-38).

Regarding claims 5, 15, 65, 75, 85, 95, 105 and 115, Buhrmann teaches the modulating scheme (see column 7, lines 33-38) is compatible with a sound signal (see column 7, lines 47-50).

Regarding claims 7, 17, 67, 77, 87, 97, 107 and 117, Buhrmann teaches the information message includes a location identifier corresponding to location of the transmitting unit (see column 6, line 59 to column 7, line 9).

Regarding claim 10, Buhrmann teaches the telephony call is an emergency call using an emergency call number (see column 8, lines 6-11 and column 8, lines 36-40).

Regarding claims 81 and 91, Buhrmann teaches a computer program product (see microprocessor 24) comprising:

a machine useable medium having computer program code embedded therein (see column 1, lines 44-49, see "codes" and see column 7, lines 39-46, see "encoding/decoding"), the computer program product having:

computer readable program code for decoding an activation message to generate an activation command (column 1, lines 44-49, see "codes" and column 7, lines 39-46, see "encoding/decoding"), the activation message being sent from an activator via a communication medium in response to a telephony call (see fig.2, connection "*ring det.*" between microprocessor 24 and item 26, and see column 6, lines 28-30), and

computer readable program code (see microprocessor 24) for transmitting a signal modulated from an information message (see fig.2, connection between codec 22 and RF 21, and see column 7, lines 28-32), responsive to the activation command by a transmitting unit (see fig.2, connection "*ring det.*" between microprocessor 24 and item 26, and see column 6, lines 28-30), to a receiver using a communication protocol (see column 6, lines 28-30).

5. Claims 21-32 and 54-60 are rejected under 35 U.S.C. 102(e) as being anticipated by Walsh et al (US 6,603,977).

Regarding claim 21, Walsh teaches a network comprising a plurality of commonly coupled location transmitters (column 20, lines 23-53, see “plurality of radio frequency transceivers” and see fig.2, plurality of transceivers 209), each transmitter comprising a transmission unit to broadcast a signal modulated from an information message containing respective location information in response to a telephony call (column 20, lines 23-53, see “*location information*” and “*an emergency telephone call*”. In addition, see column 8, lines 16-31 and column 11, lines 41-53).

Regarding claim 22, Walsh teaches the transmission unit of a transmitter broadcasts the respective location information on a substantially periodic basis (see Abstract and column 7, lines 2-11).

Regarding claim 23, Walsh teaches the transmission unit of a transmitter broadcasts the respective location information on a substantially continuous basis (see Abstract).

Regarding claim 24, Walsh teaches the transmission unit of a transmitter broadcasts the respective location information responsive to an activation request upon receipt of the telephony call (see column 8, lines 16-31).

Regarding claim 25, Walsh teaches at least one of the plurality of transmitters (see fig.2, plurality of transmitters 206-209) comprises a reception unit coupled to the transmission unit of the at least one of the plurality of transmitters, the reception unit to

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receive the activation request and to notify the transmission unit of such receipt (see column 8, lines 16-31).

Regarding claim 26, Walsh teaches each transmitter further comprises a reception unit coupled to the transmission unit to receive an activation request and to notify the transmission unit of such receipt and wherein the reception units of a set of the transmitters to receive the activation request at substantially the same time (see column 8, lines 16-31).

Regarding claim 27, Walsh teaches the set of the transmitters comprises all of the plurality of transmitters in the network (see fig.2, plurality of transmitters 206-208, and see fig.4).

Regarding claim 28, Walsh teaches the set of the transmitters comprises less than all of the plurality of transmitters in the network (see fig.2, plurality of transmitters 206-209, and see fig.4).

Regarding claim 29, Walsh teaches the transmitters are geographically dispersed to form a distributed location broadcast system (see fig.2, plurality of transmitters 206-209, and see fig.4).

Regarding claim 30, Walsh teaches the transmission unit of a transmitter broadcasts respective broadcast information in a format consistent with at least one of an identification tag, an absolute location, and a relative location (see Abstract and column 2, lines 21-34).

Regarding claim 31, Walsh teaches a network component capable of coupling to a first transmitter of the plurality of transmitters to receive and process the respective

location information broadcast by the first transmitter (see fig.2, plurality of transmitters 206-209, and see fig.4).

Regarding claim 32, Walsh teaches a server coupled to the plurality of transmitters to selectively issue the activation request to the plurality of transmitters (see fig.4, 108).

Regarding claims 54 and 57, Walsh teaches a networkable component (see fig.2 and fig.4) comprising:

a receiver for receiving location information in response to a telephony call (column 20, lines 23-53, see "*location information*" and "*an emergency telephone call*" and see fig.2, plurality of transceivers 209. In addition, see column 8, lines 16-31 and column 11, lines 41-53),

a processor for processing the location information (see fig.2, controller 200), and a network interface for transmitting the location information over a network (column 20, lines 23-53, see "*location information sent*").

Regarding claim 55 and 58, Walsh teaches the location information is one of a pre-determined location information and a global positioning system (GPS) information (see column 4, lines 55-65 and column 6, lines 12-52).

Regarding claim 56 and 59, Walsh teaches the telephony call is one of an emergency call, a commercial transaction call, and an intrusive call (see column 8, lines 16-31).

Regarding claim 60, Walsh teaches a networkable component (see fig.2 and fig.4) comprising:

a location sensor to provide location information in response to a telephony call (column 20, lines 23-53, see "*location information*" and "*an emergency telephone call*").

In addition, see column 8, lines 16-31 and column 11, lines 41-53. In order to provide location information, the teaching of Walsh inherently teaches "a location sensor"),

a determination unit coupled to the sensor, the determination unit to determine the location information (column 20, lines 23-53, see "*location information*" and "*an emergency telephone call*"). In addition, see column 8, lines 16-31 and column 11, lines 41-53. In order to determine the location information, the teaching of Walsh inherently teaches "a determination unit"), and a network interface coupled to the determination unit to selectively transmit the location information over a network (column 20, lines 23-53, see "*location information*", "*an emergency telephone call*" and "one of the plurality of radio frequency transceiver". In addition, see column 8, lines 16-31 and column 11, lines 41-53. In order to selectively transmit the location information over a network, the teaching of Walsh inherently teaches "a network interface").

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 6, 16, 66, 76, 86, 96, 106 and 116 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buhrmann et al (US 6,169,895).

Regarding claims 6, 16, 66, 76, 86, 96, 106 and 116, Buhrmann teaches claims 1, 11, 61, 71, 81, 91, 101 and 111. Buhrmann does not specifically disclose the modulating scheme uses a pseudo random binary sound (PRBS). However, the examiner takes Official notice that such feature as recited is very well known in the art.

Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention was made to modify the above teaching of Walsh and Norman for providing a method as claimed, for modulating scheme uses a pseudo random binary sound (PRBS).

8. Claims 8, 9, 18, 19, 20, 68, 69, 70, 78, 79, 80, 88, 89, 90, 98, 99, 100, 108, 109, 110, 118, 119 and 120 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buhrmann et al (US 6,169,895) in view of Walsh et al (US 6,603,977).

Regarding claims 8, 18, 68, 78, 88, 98, 108 and 118, Buhrmann teaches claims 1, 11, 61, 71, 81, 91, 101 and 111. Buhrmann does not specifically disclose the location identifier includes global positioning system (GPS) information.

Walsh teaches the location identifier includes global positioning system (GPS) information (see column 4, lines 55-65 and column 6, lines 12-52).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Walsh into the system of Buhrmann in order to provide accurate location information.

Regarding claims 9, 19, 69, 79, 89, 99, 109 and 119, Buhrmann teaches claims 1, 11, 61, 71, 81, 91, 101 and 111. Buhrmann does not specifically disclose the

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telephony call is made by a person located in proximity of the location of the transmitting unit.

Walsh teaches the telephony call is made by a person located in proximity of the location of the transmitting unit (see column 8, lines 17-31 and column 10, lines 46-50).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Walsh into the system of Buhrmann in order to provide accurate location information.

Regarding claims 20, 70, 80, 90, 100, 110 and 120, Buhrmann teaches the telephony call is an emergency call using an emergency call number (see column 8, lines 6-11 and column 8, lines 36-40).

9. Claims 33-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walsh et al (US 6,603,977) in view of Norman et al (US 5,737,328).

Regarding claim 33, Walsh teaches the network (see fig. 2 and fig.4) further comprising: a network component capable of sensing at least one of the plurality of transmitters (see fig.2, transmitters 206-209), the network component comprising: a sensor capable of at least intermittent coupling to a first transmitter of the plurality of transmitters to receive the respective location broadcast by the first transmitter (see fig.2, transmitters 206-209), a location determination unit coupled to the sensor to process the received respective location information (column 20, lines 23-53, see *"location information"* and *"an emergency telephone call"*), and a network interface to externally issue the respective location information (column 20, lines 23-53, see

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"location information" and *"an emergency telephone call"*. In addition, see column 8, lines 16-31 and column 11, lines 41-53. In order to provide location information, the teaching of Walsh inherently teaches "a location sensor").

Walsh does not specifically disclose a network interface to externally issue the respective location information in accordance with a packet data format.

Norman teaches a network interface to externally issue the respective location information in accordance with a packet data format (see column 17, lines 41-44).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Norman into the system of Walsh so that misrouted information packets are automatically rerouted to the mobile communication units (see Norman, column 1, lines 12-15).

Regarding claim 34, Walsh teaches the network further comprising: a server coupled to the plurality of transmitters to selectively issue the activation request to the plurality of transmitters responsive to a location event (see fig.4, 108 and see fig.2, transmitters 206-209).

Walsh does not specifically disclose a packet network interposing the network interface of the network component and the server, the packet network to bear the packetized, respective location information to said server.

Norman teaches a packet network interposing the network interface of the network component and the server, the packet network to bear the packetized, respective location information to said server (see column 17, lines 41-44).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Norman into the system of Walsh so that misrouted information packets are automatically rerouted to the mobile communication units (see Norman, column 1, lines 12-15).

Regarding claim 35, Walsh teaches the location event is generated by the network component (see column 8, lines 16-31 and column 11, lines 41-53).

Regarding claim 36, Walsh teaches the location event comprises an emergency call (see column 8, lines 16-31).

Regarding claim 37, the combination of Walsh and Norman teaches claim 34. The combination of Walsh and Norman does not specifically disclose an e-commerce transaction processor coupled to the packet network, wherein the location event is generated by the e-commerce transaction processor. However, the examiner takes Official notice that such feature as recited is very well known in the art. Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention was made to modify the above teaching of Walsh and Norman for providing a method as claimed, for the location event is generated by the e-commerce transaction processor.

Regarding claim 38, Walsh teaches a method of locating a networkable component (see fig.2 and fig 4), comprising:

receiving a location information request (column 20, lines 23-53, see "*location information*" and "*an emergency telephone call*". In addition, see column 8, lines 16-31 and column 11, lines 41-53), the location information request requiring a location

information (column 20, lines 23-53, see "*location information*" and "*an emergency telephone call*". In addition, see column 8, lines 16-31 and column 11, lines 41-53), generating the location information and transmitting in response to the location information request (column 20, lines 23-53, see "*location information*" and "*an emergency telephone call*". In addition, see column 8, lines 16-31 and column 11, lines 41-53).

Walsh does not specifically disclose generating at least one data packet comprising the location information and transmitting the at least one data packet in response to the location information request.

Norman teaches generating at least one data packet comprising the location information and transmitting the at least one data packet in response to the location information request (see column 17, lines 41-44).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Norman into the system of Walsh so that misrouted information packets are automatically rerouted to the mobile communication units (see Norman, column 1, lines 12-15).

Regarding claim 39, the combination of Walsh and Norman teaches the data packet (see Norman, column 17, lines 41-44) and Internet Protocol (see Walsh, column 1, lines 37-41). The combination of Walsh and Norman does not specifically disclose the data packet complies with Internet Protocol. However, the examiner takes Official notice that such feature as recited is very well known in the art. Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention was

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made to modify the above teaching of Walsh and Norman for providing a method as claimed, for the data packet complies with Internet Protocol.

Regarding claim 40, Walsh teaches the receiving of the location information is performed by a receiver (see column 8, lines 32-61).

Regarding claim 41, Walsh teaches storing the location information in a store for storing location information (see fig.4, item 408).

Regarding claim 42, Walsh teaches receiving the location information from a location information receiving device (see column 8, lines 32-61).

Regarding claim 43, Walsh teaches the location information receiving device is a Global Positioning System receiver (see column 4, lines 55-65 and column 6, lines 12-52).

Regarding claim 44, Walsh teaches the location information is an absolute reference to a location (see Abstract and column 8, lines 32-61).

Regarding claim 45, Walsh teaches the absolute reference comprises geographic coordinates (see column 4, lines 55-65 and column 6, lines 12-52).

46. the absolute reference contains a location address.

Regarding claim 47, Walsh teaches the absolute reference comprises Global Positioning System data (see column 4, lines 55-65 and column 6, lines 12-52).

Regarding claim 48, Walsh teaches the location information comprises a relative reference to a location (see column 2, lines 8-34).

Regarding claim 49, Walsh teaches the location information comprises a predetermined code associated with a location (see column 2, lines 57-61).

Regarding claim 50, Walsh teaches the location information request is generated in response to an emergency telephony call (see column 8, lines 17-31).

Regarding claim 51, Walsh teaches the location information request originates from a networkable component (see column 8, lines 17-31 and see fig.2, wireless connection between 104 and 209).

Regarding claim 52, Walsh teaches the networkable component is an emergency Server (see column 8, lines 17-31).

Regarding claim 53, Walsh teaches the networkable component comprises an association with a commercial transaction (see column 1, lines 20-36).

Response to Arguments

10. Applicant's arguments with respect to claims 1-120 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi H. Ly whose telephone number is (571) 272-7911. The examiner can normally be reached on 8:30 am-5:30 pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nghi H. Ly

NH Ly
04/12/06

Charles Appiah

**CHARLES APPIAH
PRIMARY EXAMINER**